

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

v.

Criminal No. 22-473 (GMM)

JOSE L. BERRIOS-AQUINO,

Defendant.

JOINT MOTION TO DISMISS

The United States of America respectfully informs that the parties have agreed that dismissal of the case is appropriate and move the Court for an Order, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, dismissing the indictment with prejudice.

The parties further agree that the defendant is not a “prevailing party” within the meaning of the Hyde Amendment (Pub. L. 105-119, Section 617, 111 Stat. 2440, 2519 (1997) (codified at 18 U.S.C. § 3006A note)) and that the United States prosecution against the defendant in the instant case was not vexatious, frivolous, or in bad faith.

WHEREFORE, the United States respectfully requests that the Court dismiss the indictment with prejudice.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 22nd day of May 2025.

W. Stephen Muldrow
United States Attorney



s/Linet Suárez

Linet Suárez
Assistant United States Attorney
USDC-PR No. G03015
United States Attorney's Office
350 Carlos Chardón Street
San Juan, Puerto Rico 00918
Linet.Suarez2@usdoj.gov
Tel: (787) 282-1843

Seth A. Erbe
Assistant United States Attorney
Chief, Financial Fraud & Public Corruption
USDC-PR No. 220807
seth.a.erbe@usdoj.gov

s/Luis Rafael Rivera

LUIS RAFAEL RIVERA
USDC-PR 129411
LUIS RAFAEL RIVERA LAW OFFICES
CAPITAL CENTER I, SUITE 401
239 ARTERIAL HOSTOS AVENUE
SAN JUAN, PUERTO RICO 00918
TELEPHONE: (787) 763-1780
FAX: (787) 763-2145
E-MAIL: luiswichyrivera@hotmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the date above, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/Linet Suárez
Linet Suárez
Assistant United States Attorney